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THE 6TH ANNUAL
UNFAIR COMPETITION LAW
PROGRAM

MAY 14, 2008

The Westin St. Francis

335 Powell Street
San Francisco, California 94105
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PROGRAM SCHEDULE

8:00-9:00 **Registration & Continental Breakfast**

9:00-9:15 **Welcome & Opening Remarks**

Kathleen J. Tuttle, Deputy-in-Charge, Antitrust Section, Los Angeles County District Attorney's Office, Section Chair

Albert J. Boro, Jr., Pillsbury Winthrop Shaw Pittman LLP, San Francisco, Section Vice Chair - UCL

9:15-10:45 **Panel 1: Recent Developments in the UCL**

This panel will examine the most recent developments in UCL case law. Topics to be covered include the three types of restitution under the UCL, the "reliance" cases and their impact on class certification of UCL claims, and whether the California Supreme Court will decide what "unfair" means in UCL consumer actions.

Kimberly A. Kralowec, Moderator, Schubert & Reed LLP, San Francisco

Daniel Mogin, The Mogin Law Firm, P.C., San Diego

Roxane A. Polidora, Pillsbury Winthrop Shaw Pittman LLP, San Francisco

Hon. Carl West, Judge of the Superior Court for Los Angeles County

10:45-11:00 **Morning Break**

11:00-12:30 **Panel 2: Public Agency Enforcement of the UCL**

This panel will examine the role of public agencies in enforcing the UCL. The panelists will discuss topics including public enforcement priorities, the role of private versus public enforcement actions, whether additional public agencies should be empowered to enforce the UCL, and the possible role for private counsel to assist public enforcement efforts.

Mary B. Cranston, Moderator, Pillsbury Winthrop Shaw Pittman LLP, San Francisco

Thomas A. Papageorge, Head Deputy District Attorney, Consumer Protection Division, Los Angeles County District Attorney's Office

Ann M. Ravel, County Counsel for Santa Clara County

Emilio Varanini, Deputy Attorney General, Office of the Attorney General of California, San Francisco

12:30-2:00 **The UCL Luncheon**

Presented in Victor's on the 32nd floor with sparkling views of San Francisco.

ONLINE REGISTRATION: www.calbar.ca

2:15-3:30 Panel 3: Emerging Competition Issues from Climate Change Regulations, Carbon Offsets Markets, and Green Marketing

With the historic enactment of AB 32, The California Global Warming Solutions Act of 2006, California has committed itself to policies and regulations to address the effects of climate change. Early action items are slated to take effect January 1, 2010, and further measures will be adopted over the next several years. This panel will consider how the UCL and legal principles of unfair, deceptive, or fraudulent conduct may apply to new market and regulatory issues, including possible cap-and-trade systems, markets for carbon offsets, and carbon-neutral marketing.

Albert J. Boro, Jr., Moderator, Pillsbury Winthrop Shaw Pittman LLP,
San Francisco

Christopher S. Crook, Deputy Attorney General, Office of the Attorney General
of California, Oakland

Reed R. Kathrein, Hagens Berman Sobol Shapiro LLP, Berkeley

Erika Wodinsky, Staff Attorney, Federal Trade Commission, Western Regional
Office, San Francisco

3:30-3:45 Afternoon Break

3:45-5:00 Panel 4: The New Horizon — Charting the Edge of Proposition 64

Proposition 64 poses challenges for UCL plaintiffs, but are they surmountable? This panel will explore the "must know" UCL theories currently being debated in the California trial courts, including theories for establishing "loss of money or property," placeholder plaintiffs, latent injury, and omissions.

William L. Stern, Moderator, Morrison & Foerster, San Francisco

Elizabeth Cabraser, Lieff Cabraser Heimann & Bernstein LLP, San Francisco

Gail E. Lees, Gibson Dunn & Crutcher LLP, Los Angeles

Bruce L. Simon, Pearson Simon Soter Warshaw Penny, LLP, San Francisco

5:00-6:30 Hosted Networking Reception

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REGISTRATION INFORMATION

Online Registration

www.calbar.ca.gov/antitrust

Registration by Mail

To guarantee your registration, it must be received **no later than Monday, May 5, 2008**. Please send your completed registration form and check payable to The State Bar of California to:

Program Registrations

The State Bar of California

180 Howard Street

San Francisco, CA 94105-1639

Registration by Fax

Fax to program registrations at 415.538.2368. Visa/MasterCard only.

Credit card information is mandatory. Photocopies of checks will not be accepted.

On-Site Registrations

On-site registration opens at 8:00 AM and is subject to space availability. The on-site registration fee is \$265 and includes a full 2008 Section Membership for non-Section members.

Cancellations/Refunds

Cancellations and request for refunds must be received in writing **no later than Monday, May 5, 2008**. Substitute registrants are allowed, but must register in their own name.

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Special Assistance

Please call 415.538.2071.

Questions

For registration information, please call 415.538.2508. For program content/Section information, please call 415.538.2554 or visit the Section's website at www.calbar.ca.gov/antitrust.

Audio Tapes

Audio tapes of the program will be available with a complete set of program materials from Versa-Tape. To order, please call 800.468.2737.

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PROGRAM

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- ☐ **\$225** Members of the State Bar of California Antitrust and Unfair Competition Law Section
- ☐ **\$265** Non-Member of the State Bar of California Unfair Competition Law Section
(2008 Section Membership Included)
- ☐ **\$265** All On-Site Registrations
(2008 Section Membership Included for Non-Members)
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